

EXHIBIT A

AFFIDAVIT and VERIFICATION

1. I, [REDACTED] hereby swear and affirm the following.
2. I am over 18 years of age and of sound mind.
3. Dr. Lozon has direct involvement in the decision to suspend me from practice and hinder my ability to practice medicine at Michigan Medicine or elsewhere due to current status of my clinical privileges and her willful violation of the bylaws, along with other misrepresentations made in this process.
4. According to Defense counsel's own statements, on page 15 and 16 of the Response to Plaintiff's Motion:

Plaintiff's claim that he will not be able to engage in his profession if he is not reinstated at UMH is likewise unsupported by any record evidence. Plaintiff has not lost his license to practice medicine, nor has he been denied opportunities to clinically practice at alternate sites. Plaintiff had, and continues to have, privileges at St. Joseph Mercy Ann Arbor Hospital and the Veterans Affairs Ann Arbor Healthcare System. (Ex. 5, Lozon Dec., ¶46) Thus, Plaintiff remains free to practice medicine and seek privileges at other institutions, again, negating any claim of irreparable harm.

5. This statement is belied by the actions of Dr. Dimick, made in consultation and collusion with OCA, including a removal from practice and a 60% pay cut.
 6. Dr. Dimick has direct involvement in the decision to prevent me from practice, including assigning cases to me in other hospitals where I still maintain clinical privileges but require Michigan Medicine to assign those cases to me due to the hospital's relationship with St. Joes and the VA.
 7. Most recently, in a Grievance Hearing on January 19, 2022, Dr. Dimick admitted that he still has the ability to assign me these cases but chooses not to do so for reasons having *nothing* to do with patient safety.
 8. Dr. Dimick's admission is captured and available on tape since the session was recorded by the Grievance Hearing Board with everyone's consent.
 9. Dr. Dimick also reiterated at this hearing that his decision to cut my pay before everything was fully adjudicated was a decision he made in consultation and collusion with OCA, the office headed by Dr. Lozon.
 10. While Dr. Dimick purports it is for the safety of the staff at these hospitals, he also stipulates that not one complaint exists from either of these hospitals and their staff regarding my behavior in the operating room.
 11. And yet that has contributed to my cut in pay for Dr. Dimick's claim that I cannot fulfill the clinical mission. Meaning Dr. Dimick is keeping me from working and then penalizing me for it at his own discretion!
 12. Dr. Dimick is preventing me from working when I can legitimately do so.
 13. This is improper especially when according to the guidelines of University of Michigan I cannot work somewhere else but under the regulation/control of Michigan Medicine.
 14. Dr. Mulholland also colluded with OCA to remove me from practice in an improper manner that deviates from the standards at Michigan Medicine.
 15. The normal course for over two decades, in my experience, would be that any issues would be brought to my attention either directly or through my section head. Instead of
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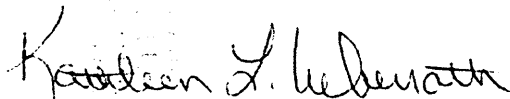
referring these to my section head, however, which would be customary. Dr. Mulholland decided to handle each complaint himself.

16. He never called me in to discuss any of the issues with me; rather he worked with OCA behind the scenes over the last decade using their immense power as a cudgel to exact retribution.
17. It was at that time that complaints from the Office of Clinical affairs (OCA) for small and nebulous professionalism complaints came about.
18. These events have now resulted in the manifestly unfair course of action of recommending a suspension of my privileges for the inadvertent playing a short YouTube clip of an old movie that contained some violence and racially insensitive remarks.
19. Disturbingly, a "precautionary suspension" was invoked despite a review by the University Office of Inclusion and Equity (OIE) that exonerated me.
20. Dr. Mulholland, Dr. Dimick, and Dr. Lozon each have played an individual and collaborative role in my removal from practice at Michigan Medicine as well as my ability to practice elsewhere.

I make the following statements, as the affiant, based on my personal knowledge, and I am competent to testify on the matters stated herein, and would be willing to do so if required to testify under oath and penalty of perjury as I have in this affidavit.

Date:

1/25/2022



KATHLEEN L. UEBERROTH

Subscribed and sworn to before me

This 25th day of January, 2022.

Notary Public, Wayne County, Michigan

My commission expires: 8-13-2022

KATHLEEN L. UEBERROTH
NOTARY PUBLIC, STATE OF MI
COUNTY OF WAYNE
MY COMMISSION EXPIRES Aug 13, 2022
ACTING IN COUNTY OF Wayne